

Applicant: Valentino Campagnolo
Application No.: 10/632,777

REMARKS

The Amendment amends claims 15 and 17 and cancels claims 16 and 19. Claims 1-5, 17, 18, and 19-41 are pending.

The Action rejects claims 1-41 under the judicially created doctrine of double patenting over claims 1-17 of U.S. Patent No. 6,619,154. The Applicant files the enclosed terminal disclaimer to overcome this rejection pursuant to 37 C.F.R. 1.321(c).

The Action also rejects claims 1-41 over U.S. Patent No. 6,073,730 to Abe in view of U.S. Patent No. 5,865,454 to Campagnolo. Abe shows a brake and brake hood that includes an electronic switch 18. The Abe switch operates a cycling computer of the type commonly used with road bicycles. See col. 3, line 62 to col. 4, line 15. The Abe switches are a start switch 54 and a mode switch 55. These switches are selectively operable push-button switches. Campagnolo teaches an electronically controlled gear change device, in particular, electronic gear-shifting in response to a rider's desire to change his speed. Campagnolo does not specify the manual controls for carrying out this gear change.

Neither Abe nor Campagnolo show or suggest what is now claimed. This Reply addresses each group of claim sets in turn.

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Claims 1-10

The references do not show "a lever mounted for rotation and positioned such that a portion thereof can be rotated into activating contact with the first electrical switch" as claimed in claim 1. The Action points to Abe sensor 9 as showing this limitation, but Abe sensor 9 merely *senses* the *angle* of the winding drum 8. See col. 3, lines 9-16. Abe's sensor is not the claimed switch, the lever, or a lever that rotates (Abe's cyclo-computer mode switches are push-buttons), and finally, Abe's sensor does not rotate into activating contact with a switch. Neither Abe, as relied on in the Action, nor Campagnolo, show or suggest such a lever/switch combination.

Claims 2- 10 depend from claim 1, and are patentable for at least the same reasons as claim 1.

Claims 11-14

Claims 11-14 are patentable for a similar reason as claims 1-10. Claim 11 recites "a lever having a portion located within the support body and being rotatable such that the portion can be rotated into activating contact with the first electrical switch," and for similar reasons to those discussed above with respect to claims 1-10, claim 11 is patentable over Abe and Campagnolo.

Claims 12-14 depend from claim 11, and are patentable for at least the same reasons as claim 11.

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Claims 15-19

The cited references do not show or suggest what is now claimed in amended claim 15: "wherein the first and second electrical switches are located on opposite sides of the plate, the plate being oriented such that the opposite sides are generally perpendicular to a portion of the mount that is configured to engage the handlebar." For the reasons discussed above, claims 15-19 are believed patentable. In addition, Abe's cyclo-computer mode switches are mounted on the same side of the cover 17, whereas in claim 15, the switches are mounted on opposite sides of the mounting plate. This feature is discussed in paragraph [0011] of the application, and is ergonomically advantageous over Abe because the oppositely switches can be activated by different fingers.

Claims 17 and 18 depend from claim 11, and are patentable for at least the same reasons as claim 15.

Claims 20-28

The cited references do not show or suggest what is claimed in claim 20, namely, "a gear change selector *mounted beneath the brake lever and in communication with a selected one of the first and second electrical switches*, wherein the gear change selector engages the selected one of the first and second electrical switches to activate a first gear ratio change."

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Campagnolo does not address the location of the controls for the electronic gear shift, and in Abe, the computer controls are located on the bracket cover 17, not beneath the brake lever. As claimed, the gear change selector 52 activates the electrical switch; in Abe, the same selector (behind brake lever 3) does not have a reference number, let alone any communication with an electrical switch.

Claims 21-28 depend from claim 20, and are patentable for at least the same reasons as claim 20.

Claims 29-34

The cited references do not show or suggest "a gear change selector pivotably moveable about the support body and capable of selecting one of the first and second electrical switches, wherein engagement of the gear change selector with one of the first and second electrical switches causes a first gear ratio change" as recited in claim 29. Again, in Abe, the buttons are depressed to run the cyclo-computer; and Abe's buttons are not the "gear selector," nor are they pivotable to selectively engage the switches as claimed.

Claims 30-34 depend from claim 29, and are patentable for at least the same reasons as claim 29.

Claims 35-41

Finally, the prior art does not show or suggest what is in claims 35-41, namely "pivotally interconnecting a gear change selector with the motor driven

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derailleur control and establishing communication between the gear change selector and one of the first and second switches, wherein when the gear change selector activates the one of the first and second switches a first gear ratio change occurs" as recited in claim 35. Abe shows no pivotal connection between the gear change selector and a *motor driven derailleur control*, nor does it show that the selector and the switches are in communication. In Abe, the buttons 18 control the cyclo-computer, not a gear change operation.

Claims 36-41 depend from claim 35, and are patentable for at least the same reasons as claim 35.

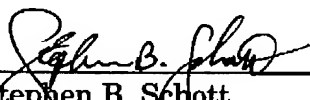
The Amendment amends the specification to correct a misspelling.

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For the above reasons, Applicant respectfully submits that the presently claimed invention is patentable over the prior art. Reconsideration and allowance of the claims is respectfully requested. If the Examiner believes that an interview, either over the telephone, or in person, would advance the prosecution of this application, the undersigned invites such an interview.

Respectfully submitted,

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